W. 63rd Street from Concord Avenue to Virginia Avenue

VAC -1961

5-22-61

THE TAKE TAKEN OF THE PROPERTY OF CASE OF THE PROPERTY OF THE WETNING AVITARI. Glos: prosented Affidevite of Publicotice, Footing and Hatling of Hotico of Fublic Footing, which was appeared no to form and ordered placed on Silo; and, purpures so cald Dotico, Public Conting was conducted on proposed Vesacies. It was explained that there is no potitice for this Vesacies; that Couring has been initiated on Council's our motion, relative to the improvement of otsects in the necessal area; that Greenserta forvice Drive is prepared to no june couch of this serve and servet will not be needed for traffic myement; that ecro of the rootdencoo obsetting the otrent force it. Mr. A. L. Meskon, 6232 Comeord Avenue, told Cometil that this particular atteat has been cut through, so that in office those to a 20-foot ditch. In coiled if it is population that it could be received by the Villego. Hr. Bredecon cacusred in the negotive, has on the theleen's commet that considerable fill should be ovolloblo from the curb card guttor rost occas to be dead in the immediate ends action doct to the best state of oldersones of adjust the bestardigien boul is off, Monogor Dydo and Council agreed that, under these circumstances. Eill sould to made. Her thekees were told that the dedicated street would revert to the preparty emerg; then colled is this would men liability for my pare appropriate, and the told that in outh liability would incur. Eastly, Mr. Haskom inquired as to thether abusting property curers would be obliged to pay an appopulate as the "vecated otracet" portion for the ourleing and curbing Someost Averes. In the information objection so relief from this appearment inaction as Bosimes of Cost has been given vitings appearsmas for this strip. Mr. Malona's contention that this property simuld beer sea san asissograf paissed do ozenza sads aioed eds en ocu saccacaca es materially benefited by the edditional property to be gained by the vecation; ten deer locatibles and like ten calco volues of the like at the calco reoperability in caring for collisional yard and for reoteration of appears. bodiscidica cash scasa basaav Ilis Hiv apalik seds pathagaches datu curb and guesor onsono dire, that no liability will incur for past apocial concomments, and that the obutting property comess will be relieved of conconmone for Concord Arctic curfecing, Hr. Mosloca vichisto bio objections to otroot pecatica. There were no other objections registered, and man bad bace secoived prior to Cooring. Treated Tepa cuggested that utilities ecocomat be retained by the Villege; and Melaca effected the following foculation and move its consicus

H.OSED STREET, DETRIED CONCORD AND VALVERA AVETUS

THEFTELD, END TOOKO PUBLISHED ENGLED ENG POSTED EDECO OF A KORSING to be been on the proposed Vocation of V.03rd Street between General Avenue and Virginia Avenue on May 22, 1901, Or 7:00 p.m., has been given and make, and a konsing has

boom had thoron by the Villago Commeil:

Edino, Emmoria Comey, Diemocoto, that U.G. DETERN, lying batton the Mont right-of-way lies of Comess Avenue and the Rost right-of-way lies of Comess Avenue and the Rost right-of-way lies of Virginia Avenue, as platted and of record in the office of the Enginter U. Decide of Comess, Character Comety, Diemocoto, he, and is hereby vesated; provided, hereby, that this vesation shall not become officerive are the service to decide vesated union and until the Village of Edina has received a utilities officering the face in uidth, being five feet an either side of the contesting of said vesated officers, and concerns to be feen such parties and in such form as to give the Village of Edina pool and value utilities concerns as the forested by the Village of the contesting of the proposed and the transfer of the proposed and recorded.

Motion for edoption of Decolution was seconded by Tupo, and en-Delical there were four eyes and no mays, as follows: Dickers, aye; Tupo, aye; VenValkenburg, aye; and Dredoton, aye; and the Encolution was adopted.

Argust:

October 6, 1961

Mr. Thos. Erickson Dorsey, Chen, Barber, Marquart & Windhorst First National Back Bldg. Minneapolis, Minn.

Dear Mr. Erickson:

Ro: RESOLUTION VACATING W.63RD STREET

In compliance with your Fecent" advice that all necessary utilities casements have been secured, we are enclosing herewith the above resolution, which will be recorded at your earliest opportunity, we trust.

Sorry to be so late with this transmittal.

Yours very truly,

Village Clerk

gsa

RESOLUTION VACATING STREET U.63RD STREET, BETWEEN CONCORD AND VIRGINIA AVENUES

UNEREAS, two weeks' published notice and posted notice of a hearing to be had on the proposed Vacation of U.63rd Street between Concord Avenue and Virginia Avenue on May 22, 1961, at 7:00 p.m., has been given and made, and a hearing has been had thereon by the Village Council:

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Edina, Hannepin County, Minnesota, that WEST 63R9 STREET, lying between the West right-of-way line of Concord Avenue and the East right-of-way line of Virginia Avenue, as platted and of record in the office of the Register of Decds of Hennepin County, Minnesota, be, and is hereby vacated.

Adopted this 22nd day of May, 1961.

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Village Clerk

(Signed) ARTHUR C. BREDESEN, JR. Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
VILLAGE OF EDINA)

(Signed) GRETCHEN S. ALDEN

I, the undersigned, duly appointed and acting Village Clerk of the Village of Edina, Hennepin County, Minnesota, do hereby certify that I have compared the attached and foregoing "RESOLUTION VACATING STREET" with the original thereof on file in my office; and the same is a true and correct copy of such resolution as duly passed and adopted by the Edina Village Council at its regular meeting held Monday, May 22, 1961.

WITNESS my hand and the seal of this Village this 6th day of October, 1961.

Village Clerk - Village of Edina

Mr. Thomas Erickson
Dorsey, Cuen, Barber, Marquart and Windhorst
First National Bank Bldg.
Minneapolis, Minn.

Bear Mr. Ericksons

Po: Vacation of W.63rd Street between Concord and Virginia Avenues, subject to utilities essement.

We are enclosing herewith transcript from Minutes of May 22nd Council Meeting, together with a small plat showing the street vacated and abutting properties. Our ownership records read as follows:

REPLAT OF BLOCK 10, NORMANDALE:

Lot 1, Block 1 - L. P. Redburn, et al, 6300 Concord Ave. Lot 14, Block 1 - John E. Maverly, et al, 4613 Concord Terrace

HORTANDALE

E1/2 Lot 5, Block 1 - A. L. McLeon et al, 6232 Concord Ave. U1/2 Lot 5, Block 1 - O. U. Anderson et al, 6233 Virginia Ave.

Will you please contact these owners in an effort to secure eccement for us as sean as possible, so that we may proceed to record the Vacation? If you will check with Joe Zikan, we feel oure he will inform you as to the type of eccement we want.

Yours very truly,

Village Clerk

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cc - Zikon

REPLAT OF PART OF LOT I, BLOCK 3, NORMANDALE

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objecting to double bungalow on grounds that "transient" facilities will devalue the entire neighborhood. Council asked Mr. Kreiser if petitioner is aware that Highway #169 may become a Village street and less heavily traveled; and, stating that he feels petitioner's request is premature in view of possible change of route of Highway #169, Dickson moved that request be tabled. Motion seconded by Tupa and carried. At this time additional petitions in protest were filed with Council and ordered placed on file.

PUBLIC HEARING ON PROPOSED VACATION OF W.63RD STREET FROM CONCORD AVENUE TO VIRGINIA AVENUE. Clerk presented Affidavits of Publication, Posting and Mailing of Notice of Public Hearing, which were approved as to form and ordered placed on file; and, pursuant to said Notice, Public Hearing was conducted on proposed Vacation. It was explained that there is no petition for this Vacation; that Hearing has been initiated on Council's own motion, relative to the improvement of streets in the general area; that Crosstown Service Drive is proposed to go just south of this street and street will not be needed for traffic movement; that none of the residences abutting the street faces it. Mr. A. L. MacLean, 6232 Concord Avenue, told Council that this particular street has been cut through, so that in effect there is a 30-foot ditch. He asked if it is possible that it could be restored by the Village. Mr. Bredesen answered in the negative, but on Mr. MacLean's comment that considerable fill should be available from the curb and gutter work soon to be done in the immediate neighborhood and it might be reasonable to put it into the ditch rather than haul it off, Manager Hyde and Council agreed that, under these circumstances, fill could be made. Mr. MacLean was told that the dedicated street would revert to the property owners; then asked if this would mean liability for any past assessments, and was told that no such liability would incur. Lastly, Mr. MacLean inquired as to whether abutting property owners would be obliged to pay an assessment on the "vacated street" portion for the surfacing and curbing of Concord Avenue. He was informed that there should be no objection to relief from this assessment inasmuch as Estimate of Cost has been given without assessment for this strip. Mr. MacLean's contention that this property should bear no assessment was on the basis that owners of abutting properties are not materially benefited by the additional property to be gained by the vacation; that it will add nothing to re-sale value and will mean additional work and responsibility in caring for additional yard and for restoration of street. With understanding that Village will fill vacated street from neighborhood curb and gutter excess dirt, that no liability will incur for past special assessments, and that the abutting property owners will be relieved of assessment for Concord Avenue surfacing, Mr. MacLean withdrew his objections to street vacation. There were no other objections registered, and none had been received prior to Hearing. Trustee Tupa suggested that utilities easement be retained by the Village; and Dickson offered the following Resolution and move its adoption:

RESOLUTION VACATING STREET W.63RD STREET, BETWEEN CONCORD AND VIRGINIA AVENUES

WHEREAS, two weeks' published notice and posted notice of a hearing to be had on the proposed Vacation of W.63rd Street between Concord Avenue and Virginia Avenue on May 22, 1961, at 7:00 p.m., has been given and made, and a hearing has been had thereon by the Village Council:

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Edina, Hennepin County, Minnesota, that W.63RD STREET, lying between the West right-of-way line of Concord Avenue and the East right-of-way line of Virginia Avenue, as platted and of record in the office of the Register of Deeds of Hennepin County, Minnesota, be, and is hereby vacated; provided, however, that this vacation shall not become effective nor the street be deemed vacated unless and until the Village of Edina has received a utilities easement ten feet in width, being five feet on either side of the centerline of said vacated street, said easement to be from such parties and in such form as to give the Village of Edina good and valid utilities easement as determined by the Village Attorney; and that upon receipt of such easement this resolution vacating said street, excluding, however, the proviso, shall be prepared and recorded.

Motion for adoption of Resolution was seconded by Tupa, and on Rollcall there were four ayes and no nays, as follows: Dickson, aye; Tupa, aye; VanValkenburg, aye; and Bredesen, aye; and the Resolution was adopted.

ATTEST:

Mayor

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

Edina, Minnesota

State of Minnesota	laa
State of Minnesota County of Hennepin	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\

or management y	
JOHN E. TILTON, being duly sworn, on oath says: that he now is and during all the time herein-	
stated has been JOHN E. TIL/TON, the publisherand printerof the newspaper known as The Edina-Morningside Courier, and has full knowledge of the facts herein stated.	
That for more than one year immediately prior to the publication therein of the printed	
Notice of Public Hearing Re Proposed Street Vacation	(Official Publication) VILLAGE OF EDINA HENNEPIN COUNTY, MINNESOTA NOTICE OF PUBLIC HEARING ON PROPOSED STREET VACATION
hereto attached, said newspaper was printed and published in the English language from its known office of publication within the County of Hennepin, State of Minnesota, on Thursday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing the same: THE EDINA-MORNINGSIDE COURIER has had in 'ta makeup not less than twenty-five percent of its news columns devoted to local news of interest to said community it purports to serve, the press work of which has been done in its said known place of publication; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 240 copies regularly delivered to paying subscribers; has been entered as second class mail matter in local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualification as a newspaper for publication of legal notices; and that its publishers have compiled with all demands of said County Auditor for proofs of its said qualification. A copy of each issue has been filed with the State Historical Society, St. Paul.	PROPOSED STREET VACATION EDINA VILLAGE COUNCIL will meet at the Village Hall at 7:00 p.m., on Monday, May 22, 1961, and will at said place and time consider the proposed Vacation of W. 63rd Street between Concord and Virginia Ave- nubs. All objections and recommenda- tions will be heard at said meeting. BY ORDER OF THE EDINA VIL- LAGE COUNCIL. GRETCHEN S. ALDEN Village Clerk (May 4-11, 1961)—EC-2A
That the printed Notice of Public Hearing Re Proposed Street	
Vacation	
hereto attached as a part hereof was cut from the columns of said newspaper; was published	•
therein in the English language once a week forsuccessive weeks; that it was	
first so published on the 4th day of May , 19 61 and	
thereafter on Thursday of each week to and including the 11th	
day of May , 19 6, and that the following is a copy of the lower case	
alphabet which is acknowledged to have been the size and kind of type used in the publica-	
tion of said Notice of Public Hearing Re Proposed Street Vacation	
Subscribed and sworn to before me this 11th day of May 19 61 Notary Fublic, Hennepin County, Minn.	• •
Thomas D. Williams,	

My Commission Expires

June 16, 1962

AFFIDAVIT OF PUBLICATION

Edina-Morningside Courier

Edina, Minnesota

State of	Minnesota] ~~
County	of Hennepin	\SS.

JOHN E. TILTON, being duly sworn, on oath says: that he now is and during all the time herein-
stated has been JOHN E. TILTON, the publisherand printerof the newspaper known as The Edina-Morningside Courier, and has full knowledge of the facts herein stated.
That for more than one year immediately prior to the publication therein of the printed
Notice of Public Hearing Re Proposed Street Vacation
hereto attached, said newspaper was printed and published in the English language from its known office of publication within the County of Hennepin, State of Minnesota, on Thursday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication equipped with skilled workmen and the necessary material for preparing and printing the same: THE EDINA-MORNINGSIDE COURIER has had in 'ts makeup not less than twenty-five percent of its news columns devoted to local news of interes, to said community it purports to serve, the press work of which has been done in its said known place of publication; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 240 copies regularly delivered to paying subscribers; has been entered as second class mail matter in local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualification as a newspaper for publication of legal notices; and that its publishers have compiled with all demands of said County Auditor for proofs of its said qualification. A copy of each issue has been filed with the State Historical Society, St. Paul.
That the printed Notice of Public Rearing Re Proposed Street
Vacation hereto attached as a part hereof was cut from the columns of said newspaper; was published
therein in the English language once a week forsuccessive weeks; that it was
first so published on the day of day of 19 61 and
thereafter on Thereafterof each week to and including the1th
day of, 19 and that the following is a copy of the lower case
alphabet which is acknowledged to have been the size and kind of type used in the publica-
tion of said Notice of Public Hearing Re Proposed Street Vacation abcderghijkingnopgreturwxyz
John E. I illan Publisher
<u>U</u>
Subscribed and swarn to before me this
Notary Fublic, Hennepin County, Minn.
Thomas D. Williams,

(Official Publication)
VILLAGE OF EDINA

HENNEPIN COUNTY, MINNESOTA.

NOTICE OF PUBLIC HEARING ON
PROPOSED STREET VACATION
EDINA VILLAGE COUNCIL will
meet at the Village Hall at 7:00 p.m.,
on Monday, May 22, 1961, and will
at said place and time consider the
proposed Vacation of W. 63rd Street
between Concord and Virginia Avenues.
All objections and recommendations will be heard at said meeting.
BY ORDER OF THE EDINA VILLAGE COUNCIL.

GRETCHEN S. ALDEN
Village Clerk
(May 4-11, 1961)—EC-2A

June 16, 1962

2

VILLAGE OF EDINA 4801 W. 50th St. Edina 24, Minn.

May 15, 1961

11.

NOTICE OF PUBLIC HEARING ON PROPOSED STREET VACATION

at 7:00 P.M., EDINA VILLAGE COUNCIL will meet at the Village Hall/on Monday, May 22, 1961, and will at said place and time consider the proposed Vacation of W.63rd Street between Concord and Virginia Avenues.

All objections and recommendations will be heard at said meeting. BY ORDER OF THE EDINA VILLAGE COUNCIL.

GRETCHEM S. ALDEN

Village Clerk

STATE OF MINNESOTA)		
COUNTY OF HENNEPIN) SS		•
VILLAGE OF EDINA)		
Hennepin County, Minnesota	a, do hereby certify that I have	e Patrolman for the Village of Edina, e posted copies of the foregoing n Official Village Bulletin Boards at
	Lley View Road and Wooddale. 3	
Dated	4-29-61	I last Bramez 11
Circuland and arrows to before	we a Notary Public in and	<i>d</i>
<u> </u>	me, a Notary Public in and	•
for Hennepin County, Minne 1961.	sota, thisday of	_,
	(GRETCHEN S. ALDEN)	
My Commission Expires 1/12	2/67	•

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AKEEHGEKEEKEDKNAK SERKAKKAHEHKKEEK ERKHKKAKOWEHKOKK

MANNEAUCEAN

14.

NOTICE OF PUBLIC HEARING ON PROPOSED STREET VACATION

at 7:00 P.M., EDINA VILLAGE COUNCIL will meet at the Village Hall/on Monday, May 22, 1961, and will at said place and time consider the proposed Vacation of W.63rd Street between Concord and Virginia Avenues.

All objections and recommendations will be heard at said meeting. BY ORDER OF THE EDINA VILLAGE COUNCIL.

GRETCHEN S. ALDEN

Village Clerk

Please publish in Edina-Morningside Courier May 4 and 11, 1961. Please send us 2 Affidavits of Publication.

VILLAGE OF EDINA 4801 W. 50ch St. Edina 24, Minn.

1961 'SI APM

BEOSOZED ZIESEI AVCVLION MOLICE OF PUBLIC HEARING ON

EDIMA VILLAGE COUNCIL Will meet at the Village Hall/on Monday, May 22, 1961, and Will at said place and time consider the proposed Vacation of W.63rd Street between Concord and Virginia Avenues.

All objections and recommendations will be neard at said meeting.

BY ORDER OF THE EDINA VILLAGE COUNCIL.

CHETCHER S. ALDEW

Village Clerk

Affiage Clerk

I, the undersigned, do hereby certify that I have, this date mailed to the attached list wha copies of the foregoing Notice of Public Hearing.

Dated this 10th day of May, 1961.

Rublic Hearing of May 22, 1961. Droposed Vacation of N. 13 ed St. Setween Concord End Fingenin aver) Hormandale Addn. Block 1. Lolo 6'2. A. M. Sean W'2 O. W. anderson. 6232 Conered are 6233 Vinginia ave Repland Block 10 Mormandale.

Block 1.

J.P. Bedburn

14. John & Haverly. 6300 Concord Terr